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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/713,159	11/17/2003	Dae-Sung Han	1594.1291	9459

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EXAMINER

FUQUA, SHAWNTINA T

ART UNIT	PAPER NUMBER
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3742

DATE MAILED: 06/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/713,159

Applicant(s)

HAN ET AL.

Examiner

Shawntina T. Fuqua

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 March 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10, 15 and 16 is/are rejected.
- 7) ☒ Claim(s) 11-14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2/24/05
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Ragland et al (US6104004).

Ragland et al discloses a cooking apparatus comprising a cabinet (1) opened at a top surface to provide an opening/cavity over which food to be cooked is laid (Figures 1, 3), a grill (3, 33) seated in the opening to support food, a heating unit (4, 34) in the cooking cabinet, a plurality of reflecting members (8, 9, 16, 17, 31, 32) at predetermined positions around a rear surface of the heating unit (8, 16, 31), the reflecting members spaced apart from each other by a gap to provide an air layer between the reflecting members (column 6, lines 2-5, 10-18, 33-43, 54-58; column 4, lines 10-21, 36-57) wherein the reflecting members has a projection (Figure 2b, 12) and the thermal heat generated is repeatedly reflected (Figure 1), the reflecting members surround the upper, lower, and rear portions of the heating unit (Figures 1, 3), a removable tray (19, 40), a control switch (6), and first, second, and third reflecting members (column 3, lines 58-61).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4-5, 7-8, 15, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ragland et al in view of GB-2286111 and Huck (US3154004).

Ragland et al discloses all of the recited subject matter except a plurality of heating units set in both sides of the cavity opposite to each other and are inclined to tilt toward the opening (Figures 1, 3), and a timer switch to control operation. GB-2286111 discloses a plurality of heating units set in both sides of the cavity opposite to each other and are inclined to tilt toward the opening (Figures 1, 3) a timer switch (28) to control operation. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have replaced the heating unit of Ragland et al with the inclined heating unit of GB-2286111 which are set in both sides of the cavity, and to have included the timer of Huck in the Ragland et al apparatus because, inclined heating units on both sides of the cavity allow the heat to be directed on the food items more efficiently, and a timer allows the apparatus to be controlled more efficiently.

5. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ragland et al in view of GB-2286111 and Huck as applied to claim 4 above, and further in view of KR-200216089.

Ragland et al in view of GB-2286111 and Huck discloses all of the recited subject matter except a heating unit which includes a ceramic member with a heating element. KR-200216089

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discloses a heating unit which includes a ceramic member with a heating element (abstract). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a heating unit which includes a ceramic member with a heating element as taught by KR-200216089 in the apparatus of Ragland et al along with the side heating units of GB-2286111 and the timer switch of Huck because, a heating unit which includes a ceramic member with a heating element allows the food to be heated more uniformly.

6. Claims 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ragland et al in view of GB-2286111 and Huck as applied to claim 4 above, and further in view of Hennick (US5189945).

Ragland et al in view of GB-2286111 and Huck discloses all of the recited subject matter except a grill unit comprising a plurality of water tanks on both sides and a plurality of grill pipes between the tanks and having hollow structures so that water flows through pipes from the tank wherein the pipes are continuously cooled. Hennick discloses a grill unit comprising a plurality of water tanks on both sides and a plurality of grill pipes between the tanks and having hollow structures so that water flows through pipes from the tank wherein the pipes are continuously cooled (abstract, Figures 1-3). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have included the grill unit of Hennick in the apparatus of Ragland et al along with the side heaters of GB-2286111, and timer switch of Huck because, a grill unit comprising a plurality of water tanks on both sides and a plurality of grill pipes between the tanks and having hollow structures so that water flows through pipes from the tank wherein the pipes are continuously cooled prevents the food from sticking to the grill while it is being cooked.

Allowable Subject Matter

7. Claims 11-14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. The following is a statement of reasons for the indication of allowable subject matter: the prior art of record neither discloses nor suggests a tray which has a hump along a central axis thereof and reflecting plates on both sides of the hump.

Response to Arguments

9. Applicant's arguments filed 3/18/05 have been fully considered but they are not persuasive. Applicant argues that Ragland's reflective inserts are not provided at predetermined positions around a rear surface of the heating element and that there is not an air layer therebetween. Examiner directs Applicant to Figure 1 of Ragland where there are three reflectors (8 on right, 8 on left, 16) located below a rear surface of heating element (4). In addition, there is an air layer between the reflectors since reflector 16 is placed slightly above reflectors 8.

Conclusion

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawntina T. Fuqua whose telephone number is (571) 272-4779. The examiner can normally be reached on Monday-Friday 8-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robin Evans can be reached on (571) 272-4777. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

stf
May 31, 2005


Shawntina Fuqua
Patent Examiner
Art Unit 3742